

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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JACQUELINE SUAREZ,

Plaintiff,

vs.

BIG APPLE CAR, INC. and DIANE CLEMENTE,
individually,

Defendants.
-----X

**Docket No. 15 CV 5330
(AMD)(RLM)**

**PROPOSED VOIRE DIRE
QUESTIONS FOR THE VENIRE**

Defendants Big Apple Car, Inc. (“BAC”) and Diana Clemente (s/h/a Diane Clemente) (both, “Defendants”), through their attorneys Akerman LLP, hereby submit the following proposed voir dire questions in connection with the trial of this action, which is currently scheduled to commence on April 9, 2012 pursuant to the Court’s March 13, 2018 Docket Order and Section 5(B)(i) of The Honorable Judge Ann M. Donnelly’s Individual Practices and Rules.

Defendants expressly reserve their right to amend and/or supplement these proposed questions.

1. Name of juror.
2. Age and place of birth of juror.
3. Marital or partnership status (single, married, etc.).
4. If married or have a partner, spouse/partner's occupation.
5. Do you have any children? If so what are their respective ages and occupations of any children.
6. What is your highest education?
7. If college, what college and field of study?

8. Do you have an advance degree of any kind, what college and field of study?
9. Are you currently employed?
 - a. If so, what is the position, title, general job duties, industry, and name of company? How long have you been employed at your current job? If less than 5 years, please identify your prior employer and provide the same information. How have you been paid, hourly or on a salary?
 - b. If unemployed, what is your employment history for the last 5 years, including positions held, duties of those positions, industry(s) worked in and name(s) of company(s) worked for. How have you been paid, hourly or on a salary?
 - c. If you are retired, what is your employment history for the last 5 years, including positions held, duties of those positions, industry(s) worked in and name(s) of company(s) worked for. How have you been paid, hourly or on a salary?
10. Were any of the companies you ever worked for a company with 50 or less employees?
 - a. Which?
 - b. When?
 - c. What was your position, title, duties?
 - d. How were you paid, on an hourly basis or salary basis?
11. Were any of the companies you ever worked a family-owned business?
 - a. Which?
 - b. When?
 - c. What was your position, title, duties?
 - d. How were you paid, on an hourly basis or salary basis?
12. Have you or any member of your family or close friend ever driven a car for hire, taxi cab, black luxury car, Uber, Lift, limousine?
 - a. When?
 - b. Where?
 - c. Where?
13. Do you have any illness or handicap, such as a hearing or eyesight disability which would make it difficult for you to serve as a juror?

14. What daily newspapers do you read?
15. What magazines do you read regularly?
16. What television news broadcasts do you usually watch?
17. To what clubs or other organizations do you and the members of your immediate family belong?
18. Have you or any member of your family or close friend been a victim of unpaid wages, including, but not limited, to unpaid overtime?
 - a. Who?
 - b. When?
 - c. Where?
 - d. What was the circumstances and nature of the matter.
19. Have you or any members of your family or a close personal friend ever filed a lawsuit or claim for unpaid wages, including, but not limited, to unpaid overtime?
 - a. Who?
 - b. When?
 - c. Where?
 - d. What was the circumstances and nature of the claim and/or lawsuit?
20. Have you or any members of your family or a close personal friend ever worked for a company that was involved in a claim or lawsuit for unpaid wages, including, but not limited, to unpaid overtime?
 - a. When?
 - b. Where?
 - c. What was the circumstances and nature of the claim and/or lawsuit?
21. In connection with your employment history, have you ever been employed in a position where you made decisions or recommendations regarding a person's wages, including whether they would be paid hourly or by salary or what their rate of pay would be?

22. Do you or any member of your family or close friend work in or are associated with the legal profession?

- a. How?
- b. When?
- c. Where?
- d. What area of practice?

23. Have you ever served on a jury? If yes, has your previous experience as a juror affected your ability to be fair to all sides in the case?

24. Have you ever been a party to a lawsuit as a plaintiff or a defendant? If so, what was the subject of the lawsuit?

25. Have you or a close family member ever testified in a lawsuit? Does this experience affect your ability to be fair to all parties in deciding this case?

26. Do you know the parties and lawyers who will appear on their behalf in this case are:

- a. Levine & Blitt, PLLC
- b. Russell Moriarty, Esq.
- c. Mathew Blitt, Esq.
- d. Justin Clark, Esq.
- e. Jacqueline ("Jackie") Suarez
- f. Big Apple Car, Inc.
- g. Diana Clemente
- h. Akerman, LLP
- i. Bran Noonan, Esq.
- j. Vince Avery, Esq.

27. Have you or any member of your family or close personal friend ever been employed by or had any business dealings with defendants Big Apple Car, Inc. and Diana Clemente?

28. Have you or any member of your family or close personal friend ever used any of the services provided by Big Apple Car, Inc.?

29. Have you or any member of your family or close personal friend ever been employed by or had any business dealings with plaintiff Jacqueline ("Jackie") Suarez?

30. Do you know or have you had any professional or social relations with any of the attorneys or law firms in this case?

31. Do you know Ann M. Donnelly, the judge in this case?

32. Have you, any member of your family or close personal friend had any employment or business relationship with any of the following:

- a. Elizabeth Valdez
- b. Justine Fernandez
- c. Husan Mustafa
- d. Afzal Jaffe
- e. Mohammed Khan

33. Have you or any member of your family worked for or been associated with a governmental agency, such as the U.S. Department of Labor or New York State Department of Labor, or private agency or organization that evaluates, investigates, and/or prosecutes claims of unpaid wages?

34. Have you or any member of your family worked for or been associated with a law firm that evaluates, investigates, and/or prosecutes claims of unpaid wages?

35. Do you have any reservations about lawsuits against companies?

36. Do you have any reservations about lawsuits against companies for unpaid wages?

37. Can you think of anything in your life that reminds you of this case?

38. You may be called upon in this case to decide liability and/or award money damages. Do any of you have any religious, philosophical, or other belief that prevents you from acting as an impartial juror in this case?

39. Do you feel, because of the nature of your employment, that they cannot serve as a juror in this matter?

40. Do you know of any reason you may be prejudiced for or against the plaintiffs or defendants because of the nature of the case, or otherwise?

41. Is there any urgent personal or business reason why you could not serve as a juror in this case?

Dated: New York, New York
April 2, 2018

AKERMAN LLP

By: /s/ Bran Noonan

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